

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on November 17, 2009.

Mayor David W. Cline presided and called the meeting to order at 6:30 p.m.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Tim Gover, Absent Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Mayor David Cline.

Also physically present were City personnel: Interim City Administrator John Kolata, City Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Community Development Coordinator Kyle Gill, Police Chief David Griffith, Fire Chief Tony Nichols and City Clerk Susan O'Brien.

Mayor Cline seconded by Commissioner Gover moved to permit electronic attendance of Commissioner Hall due to employment purposes.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Hall attended present by means of audio conference at 6:31 p.m.

Mayor Cline seconded by Commissioner Ervin moved to approve the consent agenda consisting of minutes of the regular meeting November 3, 2009; Fire Department report for the month of October, 2009; bills and payroll for the first half of November, 2009.

Bills and payroll for the first part of November, 2009

General Fund

Payroll		\$ 249,906.39
Bills		<u>\$ 123,004.09</u>
	Total	\$ 372,910.48

Hotel Tax Fund

Payroll		\$ 1,666.65
Bills		<u>\$ 3,233.87</u>
	Total	\$ 4,900.52

Festival Management

Bills		<u>\$ 56.71</u>
	Total	\$ 56.71

Insurance & Tort Judgment

Bills		<u>\$ 3,279.29</u>
	Total	\$ 3,279.29

Capital Project Fund

Bills		<u>\$ 47,652.15</u>
	Total	\$ 47,652.15

Water Fund

Payroll		\$ 28,730.26
Bills		<u>\$ 33,843.07</u>
	Total	\$ 62,573.33

Sewer Fund

Payroll		\$ 27,427.81
Bills		<u>\$ 44,528.71</u>
	Total	\$ 71,956.52

Cemetery Fund

Payroll		\$	2,711.08
Bills		\$	<u>362.28</u>
	Total	\$	3,073.36

Health Insurance

Bills		\$	<u>68,103.36</u>
	Total	\$	68,103.36

Motor Fuel Tax Fund

Bills		\$	<u>26,990.26</u>
	Total	\$	26,990.26

Mayor Cline declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline opened the floor for public discussion. Mrs. Joyce St. Michael inquired as to the lights at Lawson Park tennis courts remaining on when not in use. Director Wortman was to look into the matter.

Mayor Cline presented a retirement plaque to Mitch Strader in recognition of his retirement with 23 plus years of service with the Fire Department. Fire Chief Nichols reflected on Mr. Strader's years of service and performance.

Administrator Kolata reviewed the agenda items. Mrs. Jackie Record questioned the cleaning of the Depot and janitorial contract. Council discussed the issue with a consensus to postpone the decision until the next meeting. Council discussed change orders involving the Depot.

Mayor Cline seconded by Commissioner Ervin moved to adopt Special Ordinance 2009-1364, approving placement of the annual property and casualty insurance and workers compensation coverage for a term beginning December 1, 2009.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2009-1364**

AN ORDINANCE AUTHORIZING PLACEMENT OF THE CITY'S PROPERTY & CASUALTY, AND WORKERS COMPENSATION INSURANCE COVERAGE

WHEREAS, Mesirow Insurance Services, the City's broker of record, solicited proposals from insurance companies that underwrite property, casualty and workers compensation insurance for municipal government exposures; and

WHEREAS, the combination of proposals received from St. Paul/Travelers Insurance Company for Property, General Liability, Auto Liability, Auto Physical Damage, Excess Liability, Law Enforcement Liability, Public Officials Liability, Employment Practices Liability, and Workers Compensation, and the proposals received from the Chubb Group for Commercial Crime, and Fiduciary Liability, and proposal received from Philadelphia Indemnity Insurance Company for Lawyers E&O, and proposal from Federal Insurance Company for the Volunteers AD&D. These proposals have been determined to be the most cost effective and secure solutions for managing the City's property & casualty and workers compensation exposures.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. The Mayor, City Clerk and Mesirow Insurance Services are hereby authorized to take such administrative action necessary to bind the City of Mattoon's coverages with the St. Paul/Travelers Insurance Company for Property, General Liability, Auto Liability, Auto Physical Damage, Excess Liability, Law Enforcement Liability Public Officials Liability, Employment Practices Liability Workers Compensation, and bind the City of Mattoon's coverages with the Chubb Group for Commercial Crime, and Fiduciary Liability, and proposal received from Philadelphia Indemnity Insurance Company for Lawyers E&O, and proposal from Federal Insurance Company for the Volunteers AD&D for the policy year beginning December 1, 2009 and ending December 1, 2010 pursuant to a proposal attached hereto and incorporated herein by reference.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Cline, seconded by Commissioner Ervin, adopted this 17th day of November, 2009, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,
 Commissioner Hall, Commissioner Rankin,
 Mayor Cline
NAYS (Names): None
ABSENT (Names): None

Approved this 17th day of November, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on November 18, 2009.

Mayor Cline called for comments or questions. No comments or questions.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Gover moved to adopt Special Ordinance 2009-1365, authorizing a renewal contract with PersonalCare for the Administration of the self-insured health plan and Delta Dental of Illinois for the Administration of the self-insured dental plan for employees and retirees of the municipality.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2009-1365

AN ORDINANCE AUTHORIZING A RENEWAL AGREEMENT WITH PERSONALCARE INSURANCE OF ILLINOIS FOR THE ADMINISTRATION OF THE SELF-FUNDED MEDICAL AND PHARMACY BENEFIT PLAN AND DELTA DENTAL OF ILLINOIS FOR THE ADMINISTRATION OF THE SELF-FUNDED DENTAL BENEFIT PLAN FOR EMPLOYEES AND RETIREES OF THE MUNICIPALITY

WHEREAS, the City of Mattoon, Illinois employee and retiree group has demonstrated exceptional health insurance experience, and

WHEREAS, this group health insurance history has resulted in favorable renewal premium rates, and

WHEREAS, it is the desire of the Mattoon City Council to maintain and continue the relationship with the Personal Care Insurance of Illinois and Delta Dental plans currently offered through the Checkley Agency to its employees and retirees, and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The mayor is authorized to sign a renewal agreement with PersonalCare Insurance of Illinois, Inc. for the administration of the self-funded medical and pharmacy benefit plan and the Delta Dental plan for employees and retirees of the municipality, copies of which are attached and incorporated by reference.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Cline, seconded by Commissioner Gover, adopted this 17th day of November, 2009, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,
Commissioner Hall, Commissioner Rankin,
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 17th day of November, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on November 18, 2009.

Mayor Cline called for comments or questions. Attorney & Treasurer Owen mentioned the attendance by Mr. Paul Saegesser and Mr. Jim Dye from the Checkley Agency.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Ervin moved to adopt Special Ordinance 2009-1366, authorizing the sale of Lot 14 in Lake Paradise Subdivision to Max & Daisy Roberts, owners of a home on leased premises at Lot 14, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. (Commonly known as 3357 Pana Lane)

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2009-1366

SPECIAL ORDINANCE: AUTHORIZING THE SALE OF LOT 14 IN LAKE PARADISE SUBDIVISION TO MAX & DAISY ROBERTS OWNERS OF A HOME ON LEASED PREMISES AT LOT 14, LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION (COMMONLY KNOWN AS 3357 PANA LANE)

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2642, adopted March 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, Max & Daisy Roberts are desiring to purchase the property for \$11,900; and

WHEREAS, Max & Daisy Roberts are the owners of the home located on the property; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$11,900 was the fair market value of the real estate as of October 30, 2009, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided, appraised and has had the title insurance covering the property updated and the purchaser is willing to pay their share of those costs; and

WHEREAS, the City Attorney has prepared a Real Estate Sales Contract that is attached to the Special Ordinance and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The City Attorney is authorized to prepare closing documents and the Mayor and City Clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 2 of this ordinance to Max & Daisy Roberts, subject to a payment of \$11,900 plus all other expenses of the sale. The purchase price will be due at closing.

Section 2. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lot 14 in Lake Paradise Subdivision, Unincorporated Coles County, Illinois.

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Rankin, seconded by Commissioner Ervin, adopted this 17th day of November, 2009, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,
Commissioner Hall, Commissioner Rankin,
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 17th day of November, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on November 18, 2009.

Mayor Cline called for comments or questions. No comments or questions.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Gover moved to adopt Resolution 2009-2789, adopting the Coles County Hazards Mitigation Plan to help guide the County and its municipality in their efforts to eliminate or minimize the impact of hazard events to critical facilities and community assets.

**CITY OF MATTOON, ILLINOIS
RESOLUTION NO. 2009-2789**

**A RESOLUTION ADOPTING THE COLES COUNTY HAZARDS MITIGATION PLAN TO HELP GUIDE THE
COUNTY AND ITS MUNICIPALITY IN THEIR EFFORTS TO ELIMINATE OR MINIMIZE THE IMPACT OF
HAZARD EVENTS TO CRITICAL FACILITIES AND COMMUNITY ASSETS**

WHEREAS, the U.S. Federal Emergency Management Agency made available funds to the Illinois Emergency Management Agency for the development of a State-wide Hazards Mitigation Planning Program ; and

WHEREAS, the Illinois Emergency management Agency made said funds available to local government and Coles County was awarded grant money to develop a County-wide Hazards Mitigation Plan; and

WHEREAS, the City of Mattoon agreed to participate in the Coles County Hazards Mitigation Planning Program and pledged reasonable staff time of its Departmental Directors to help formulate the County-wide Hazards Mitigation Plan; and

WHEREAS, one of the important missions of the County and communities of Charleston, Lerna, Mattoon and Oakland is to protect the health and safety of their residents; and

WHEREAS, Coles county and the above-listed municipalities are subject to flooding, tornadoes, fire, and winter storms as well as other natural and man-made hazards that could cause damage to properties, close businesses, disrupt traffic and present public health and safety hazards; and

WHEREAS, the adoption of the Coles County Hazards Mitigation Plan, allows for Coles County and the municipalities, to be eligible for Federal Mitigation Funding.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Mattoon, Coles County, Illinois, as follows:

That the City of Mattoon hereby adopts the Coles County Hazards Mitigation Plan as an official plan of the City to help guide in its efforts to eliminate or minimize the impact of hazard events to critical facilities and community assets.

Upon motion by Mayor Cline, seconded by Commissioner Gover, adopted this 17th day of November, 2009, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,
 Commissioner Hall, Commissioner Rankin,
 Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 17th day of November, 2009.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on November 18, 2009.

Mayor Cline called for comments or questions. No comments or questions.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2009-1036, authorizing the Mayor to sign Change Order #10 with Grunloh Construction in the amount of \$1,423.13 for the removal and disposal of ceiling plaster and ceiling joist at the Upper Mezzanine No. 201 for the Depot Project.

Mayor Cline called for comments or questions. No comments or questions.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2009-1037, authorizing the Mayor to sign Change Order #11 with Grunloh Construction in the amount of \$2,248.56 for installation of Z furring and drywall on both sides of the wall between Museum #B06 and Storage Rooms #B19 & B20 for the Depot Project.

Mayor Cline called for comments or questions. No comments or questions.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Council Decision Request 2009-1038, approving the bid from S.S.C. Services, Inc. of Mattoon in the amount of \$50,946.80 for janitorial services of various City buildings; and authorizing the Mayor to sign the contract was not considered at this meeting.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2009-1039, authorizing the Mayor to sign Change Order #13 in the amount of \$3,651.04 and Change Order #14 in the amount of \$1,760.00 with Grunloh Construction as credits for no secondary relocation of the gas meter and for moving the evaporative cooler closer to the building respectively.

Mayor Cline called for comments or questions. No comments or questions.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to recess to closed session at 6:58 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11)).

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Council reconvened at 7:15 p.m.

Commissioner Gover seconded by Commissioner Ervin moved to adjourn at 7:15 p.m.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

/s/ Susan J. O'Brien
City Clerk

